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# Virginia Gazette

AND

# WEEKLY ADVERTISER.

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## An ACT ESTABLISHING *DISTRICT COURTS.*

*(Continued from our laſt)*

IN all actions to recover the penalty for breach of any penal law, not particularly directing ſpecial bail to be given in actions of ſlander, treſpaſs, aſſault and battery, actions on the caſe for trover or other wrongs, and all other perſonal actions, except ſuch as ſhall be herein after particularly mentioned, the Plaintiff or his Attorney ſhall, on pain of having his ſuit diſmiſſed, with coſts, endorſe on the original writ or ſubſequent proceſs, the true ſpecies of action, that the ſheriff to whom the ſame is directed may be thereby informed whether bail is to be demanded on the execution thereof; and in the caſes before mentioned, the ſheriff may take the engagement of an Attorney practiſing in the diſtrict court, endorſed upon the writ, that he will appear for the defendant or defendants, and ſuch appearance ſhall be entered with the clerk in the office on the firſt day after the end of the court, to which ſuch proceſs is returnable, which is hereby declared to be the appearance day in all proceſs returnable to any day of the court next preceding. Every Attorney failing to enter an appearance according to ſuch engagement, ſhall forfeit to the Plaintiff fifty ſhillings, for which judgment ſhall be immediately entered, and execution may iſſue thereupon. *Provided always*, that any judge of the ſaid court, in actions of trepaſs, aſſault and battery, trover and converſion, and in actions on the caſe, where, upon proper affidavit or affirmation, as the caſe may be, it ſhall appear to him proper that the defendant or defendants ſhould give appearance-bail, may, and he is hereby authoriſed to direct ſuch bail to be taken by endorſement on the original writ or ſubſequent proceſs; and every ſheriff ſhall govern himſelf accordingly.

In all actions of debt, founded on any writing obligatory, bill or note in writing, for the payment of money or tobacco, all actions of covenant or detinue; in which caſes the true ſpecies of action ſhall be endorſed on the writ as before directed, and that appearance-bail is to be required, the ſheriff ſhall return on the writ the name of the bail by him taken, and a copy of the bail-bond to the clerk's office before the day of appearance; and if the defendant ſhall fail to appear accordingly, or ſhall not give ſpecial bail, being ruled thereto by the court, the bail for appearance may defend the ſuit, and ſhall be ſubject to the ſame judgment and recovery as the defendant might or would be ſubject to, if he had appeared and given ſpecial bail; and in actions of detinue the bail-piece ſhall be ſo changed as to ſubject the bail to the reſtitution of the thing, whether animate or inanimate, ſued for, or the alternative value, as the court may adjudge. And if the ſheriff ſhall not return bail, and the copy of the bail-bond, or the bail returned ſhall be judged inſufficient by the court, and the defendant ſhall fail to appear and give ſpecial bail, if ruled thereto, in ſuch caſe the ſheriff may have like liberty of defence, and ſhall be ſubject to the ſame recovery as is provided in the caſe of appearance-bail. And if the ſheriff depart this life before judgment be confirmed againſt him, in ſuch caſe the judgment may be confirmed againſt his Executors or Adminiſtrators; or if there ſhall not be a certificate of probate or adminiſtration granted, then it may be confirmed againſt his eſtate, and a writ of *fieri facias* may in either caſe be iſſued; but the Plaintiff ſhall object to the ſufficiency of the bail during the ſitting of the court next ſucceeding that to which the writ is returnable, or in the office on the firſt or ſecond rule day, and at no time thereafter. And all queſtions concerning the ſufficiency of bail ſo objected to in the office, ſhall be determined by the court on the firſt day of the next ſucceeding court; and in all caſes where the bail ſhall be judged inſufficient, and judgment entered in the office againſt the ſheriff, he ſhall have the ſame remedy againſt the eſtate of the bail as againſt the eſtate of the defendant: Alſo, that every judgment entered in the office againſt a defendant and bail, or againſt a defendant and ſheriff, ſhall be ſet aſide, if the defendant, upon the third day of the ſucceeding court, ſhall be allowed to appear without bail, put in good bail, being ruled ſo to do, or ſurrender himſelf in cuſtody, and ſhall plead to iſſue immediately; on which third day the court ſhall regulate all other proceedings in the office during the preceding vacation, and rectify any miſtakes or errors which may have happened therein. In every caſe where judgment ſhall be confirmed againſt any defendant or defendants and bail, or the ſheriff, his Executors, Adminiſtrators, or eſtate, as aforeſaid, the court, upon motion of ſuch bail, or of ſuch ſheriff, his Executors or Adminiſtrators, or any other perſon on behalf of his eſtate, may order an attachment againſt the eſtate of ſuch defendant or defendants, returnable to the next ſucceeding court; and upon the execution and return of ſuch attachment, the court ſhall order the eſtate ſeized, or ſo much thereof as will be ſufficient to ſatisfy the judgment and coſts, and all coſts accruing under the attachment, to be ſold as goods taken in execution upon a *fieri facias*; and out of the money ſuch judgment and all coſts ſhall be ſatisfied, and the ſurplus, if any, reſtored to the defendant or defendants when required.

Any judge of the ſaid court, when the court is not ſitting, or any Juſtice of the Peace, may take recognizance of ſpecial bail in any action therein depending, which ſhall be taken, and ſhall be tranſmitted by the perſon taking the ſame before the next ſucceeding court, to the clerk of the ſaid court, to be filed with the papers in ſuch action; and if the Plaintiff or his Attorney ſhall except to the ſufficiency of bail ſo taken, notice of ſuch exception ſhall be given to the defendant or his Attorney, at leaſt ten days previous to the day on which ſuch exception ſhall be taken: And if ſuch bail ſhall be judged inſufficient by the court, the recognizance thereof ſhall be diſcharged, and ſuch proceedings ſhall be had as if no ſuch bail had been taken.

Every ſpecial bail may ſurrender the principal before the court where the ſuit hath been or ſhall be depending at any time either before or after judgment ſhall be given, and thereupon the bail ſhall be diſcharged, and the defendant or defendants ſhall be committed to the cuſtody of the ſheriff or jailor attending ſuch court, if the Plaintiff or his Attorney ſhall deſire the ſame; or ſuch ſpecial bail may diſcharge himſelf or herſelf, by ſurrendering the principal or principals to the ſheriff of the county where the original writ was ſerved, and ſuch ſheriff ſhall receive ſuch defendant or defendants, and commit him, her, or them to the jail of his county, and ſhall give a receipt for the body or bodies of ſuch defendant or defendants, which ſhall be by the bail forthwith tranſmitted to the clerk of the county where the ſuit is or was depending. When ſuch render after judgment ſhall be to the ſheriff, he ſhall keep ſuch defendant or defendants in his cuſtody in the ſame manner, and ſubject to the like rules, as are provided for debtors committed in execution during the ſpace of twenty days, unleſs the creditor, his Attorney or Agent, ſhall ſooner conſent to his, her, or their diſcharge. The bail ſhall give immediate notice of ſuch render to the creditor, his Attorney or Agent; and if within the ſaid twenty days ſuch creditor, his Attorney or Agent, ſhall not in writing charge the debtor or debtors in execution, he, ſhe, or they ſhall be forthwith diſcharged out of cuſtody; but the plaintiff or plaintiffs may nevertheleſs afterwards ſue out at any legal execution againſt ſuch debtor or debtors.

When the ſheriff or other proper officer ſhall return on any original or meſne proceſs, that he hath taken the body of any defendant and committed him to priſon for want of appearance-bail, the plaintiff may proceed, and the defendant make his defence in like manner as if his appearance-bail had been entered and accepted; but ſuch defendant ſhall not be diſcharged out of cuſtody until he ſhall put in good bail, or the plaintiff ſhall be ruled by the court to accept an appearance without bail; and where any defendant, after appearance entered, ſhall be confined in priſon, the plaintiff may file his declaration, give a rule to plead, and deliver copies of ſuch declaration and rule to the defendant, or his Attorney; and if the defendant ſhall fail to enter his plea within two months after receiving ſuch declaration and notice, the plaintiff may have his judgment by default, as in other caſes.

Rules ſhall be monthly holden in the clerk's office of each diſtrict, beginning the day after the riſing of each court.

Where the ſheriff or other proper officer ſhall return on any writ of *capias* to anſwer in any civil action, that the defendant is not found within his bailiwick, the plaintiff may either ſue out an *alias* or a *pluries capias*, until the defendant ſhall be arreſted, or a *teſtatum capias*, where he ſhall be removed into another county, or may, at his election, ſue out an attachment againſt the eſtate of the defendant, to force an appearance; and if the ſheriff or other officer ſhall return that he hath attached any goods, and the defendant ſhall not appear and replevy the ſame, by entering his appearance and giving ſpecial bail, in caſe he ſhall be ruled ſo to do, the plaintiff ſhall file his declaration, and be entitled to a judgment for his debt, or damages, and coſts, which judgment ſhall be final in all actions of debt founded on any ſpecialty, bill or note in writing, aſcertaining the demand; and in other caſes, the damages ſhall be ſettled by a jury ſworn to enquire thereof. The goods attached ſhall remain in the hands of the officer till ſuch final judgment be entered, and then be ſold in the ſame manner as goods taken upon a *fieri facias*; and if the judgment ſhall not be thereby ſatisfied, the plantiff may ſue out execution for the reſidue: and in caſe more goods be attached than will ſatisfy the judgment, the ſurplus ſhall be returned to the defendant.

On the return of the *pluries*, that the defendant is not to be found, the court, inſtead of the proceſs to outlawry formerly uſed, may order a proclamation to be iſſued, warning the defendant to appear at a certain day therein named, or that judgment will be rendered againſt him; which proclamation ſhall be publiſhed on three ſucceſſive court-days at the door of the court-houſe of the county to which the laſt proceſs was directed, and alſo three times in the Virginia Gazette; and if the defendant fails to appear purſuant to ſuch proclamation, the ſame proceedings ſhall be had, and the ſame judgment given as in other caſes of default.

The plantiff ſhall file his declaration in the clerk's office at the next ſuch ſucceeding rule-day after the defendant ſhall have entered his appearance, or the defendant may then enter a rule for the plantiff to declare, which if he ſhall fail or neglect to do at the ſucceeding rule-day, or ſhall at any time fail to proſecute his ſuit, he ſhall be nonſuited, and pay to the defendant or tenant, beſides his coſts, one hundred and fifty pounds of tobacco, where his place of abode is at the diſtance of twenty miles or under from the place of holding the diſtrict court, and where it is more, five pounds of tobacco for every mile above twenty.

One month after the plantiff hath filed his declaration, he may give a rule to plead with the clerk, and if the defendant ſhall not plead accordingly at the expiration of ſuch rule, the plantiff may enter

judgment by default for his debt or damages and costs.

All rules to declare, plead, reply, rejoin, or for other proceedings, ſhall be given regularly from month to month, ſhall be entered in a book to be kept for that purpoſe, and ſhall be out on the ſucceeding rule-day.

All judgments by default for want of an appearance, or ſpecial bail, or pleas as aforeſaid, and nonſuits or diſmiſſions obtained in the office, and not ſet aſide at the third day of the ſucceeding diſtrict court, ſhall be entered by the clerk as of that day, which judgment ſhall be final in actions of debt founded on any ſpecialty, bill, or note in writing aſcertaining the demand; and in all other caſes the damages ſhall be aſcertained by a jury, to be impannelled and ſworn to enquire thereof, as is herein after directed.

*( To be Continued. )*

## POLAND, Nov. 1.

THE King has been indiſpoſed ſome days, and the Ruſſian Miniſter, the Count Stackelberg, lies very dangeróuſly ill of the jaundice.

The Miniſter has juſt received an expreſs, giving an account of a third action between the Ruſſians and Turks at Kinburn, of which the following are the particlars:

"On the 12th of October, the Turks attacked the fortreſs of Kinburn; having embarked in a number of flat bottomed boats, at Oczakow, eſcorted by other veſſels; they debarked a little diſtance from the fortreſs at midnight, in a part where they never had been expected, and which conſequently had been left defenceleſs. At four in the morning, they began to attack, with the moſt horrid cries, and ſupported by the ſhips firing ſhells into the town. The attack laſted four hours, when the aſſailants repulſed; and retired a little diſtance. An attempt was made next day to diſlodge them, and ſucceſs attended it, which was chiefly owing to General de Suwarow detaching a ſmall corps to attack them in rear, which threw them into great diſorder, during which, at eight in the morning, the garriſon made a ſorte, which forced the Turks to re-imbark, after having ſuffered a conſiderable loſs. The Ruſſians had 15 officers and 250 ſoldiers killed. The Generals Suwarow and de Reck, are both ſlightly wounded. They expect another attack, as there is a great number of troops near Oczakow; and as the Turks give out, they think the deſtroying of Kinburn, to be an important object, as well for the ſafety of Oczakow, as for that part of the Black Sea, which it is thought they will effect, having already harraſſed the garriſon with three attacks."

## LONDON, Nov. 23.

COUNT Welderen, who was Ambaſſador to the Britiſh Court ſo many years before the breaking out of the war in 1780, is on the point of being appointed Ambaſſador Plenipotentiary by the Sates-General to the Court of Great-Britain:—Baron Lynden, the preſent Ambaſſador, will in that caſe return home.

We have been told from ſome authority that, the motion for an addreſs to his Majeſty's ſpeech, on Tueſday next, will not be oppoſed; when the proper documents reſpecting the late armament, are officially laid before both Houſes of Parliament, a day will of courſe be appointed for taking thoſe papers into conſideration; and then, in all probability, a difference in opinion may occaſion a long debate.

The report that a Tariff between this country and Ireland, is in agitation gains credit; and that it will be brought forward in the enſuing Seſſion of Parliament.

The Miniſtry in both England and Ireland agree, that ſomething is neceſſary to be done; and they have had many conſultations upon the ſubject.

Extract of a letter from Warſaw, Oct. 28.

"The Turkiſh army daily augments near Choczim, but we lean that a body of 3000 Arnauts, thievith and ſavage people, having joined them, a quarrel aroſe between them and the Janiſſaries, which occaſioned a ſmart combat, in which a great number were killed on both ſides. The Bacha even run a riſk of his life, and to calm his troops cauſe a report to be ſpread, that the Turkiſh ſquadron had ſunk a number of Ruſſian veſſels.

We receive different accounts relative to the preſent affairs, by which we learn, that the Ruſſians are reſolved to attack Oczakow on all ſides, whilſt the Emperor's army advances towards Belgrade, where we are aſſured there are not above 8000 Janiſſaries, and no other troops in Servia; but we learn from Walachia, that a body of 20,000 Turks are arrived there, commanded by the reble Colonel Hoozz."

All the accounts received on Wedneſday from the Continent, evince it to be an abſolute certainty, that the Emperor means to ſupport Ruſſia with all his might in her preſent conflict with the Porte. For this purpoſe, we learn from Wallachia, that the Auſtrian Conſul, reſident at Buchareſt, had written to his Vice-Conſul at Jaſſy, to be ready to depart from thence at a minute's notice.—On a ſimilar principal, and from ſimilar motives, the Imperial Conſul at Smyrna has received orders to diſpatch immediately from that port all the Auſtrian veſſels that may happen to be there, whether loaded or unloaded.—All the women and children, by the reſiſtleſs mandate of Joſeph, have been ordered from Semlin.—Unable to procure horſes with ſo much expedition as he wiſhed or expected, he has ſeized all the moſt valuable ones belonging to the people of Vienna.—He has laid an embargo upon a number of veſſels loaded with grain at Preſbourg, and ordered all ſuch grain to be lodged in the Imperial magazines for the uſe of the army.—Theſe facts require no comment; and, in our opinion, ſo obvious is their tendency, that he that runs may read it.

The New-York mail is to be ſent the firſt Wedneſday in every month, as before, till the Spring, when ſome alterations in that part of the Poſt-Office is intended to take place.

A Gentleman juſt arrived from Liſbon adviſes, that on the 13th of October, the Count de Mello, Commodore of a ſquadron of five ſhips of the line, and two frigates, ſent laſt Auguſt to cruize in the Mediterranean, to protect the Portugueſe trade, had brought in an Algerine galley of 500 tons, and 300 men, 67 of whom were killed, and many more deſperately wounded in the engagement which laſted eight hours. The ſurviving Moors are cloſely confined, till ſome public works, intended next ſpring, ſhall furniſh them with employment for, perhaps the remainder of their lives.

## BOSTON, February 4.

A COPY of AMENDMENTS ſubmitted to the Convention by his Excellency the Governour, who, on Wedneſday laſt, after a long and painful indiſpoſition, took the chair, as Preſident of that honourable body, now ſitting in this town, and on Thurſday forenoon publicly communicated his intention of making a propoſition in the afternoon on the important ſubject before them The houſe was uncommonly crouded in conſequence, and the moſt profound ſilence obſerved, while his Excellency was delivering his ſhort and elegant ſpeech to introduce this important matter. The feeble health of his Excellency, the ardent expectation of perſons of every deſcription, and the uncertainty prevailing as to the nature of the propoſition to be made, conſpired to render the ſcene as intereſting and effecting as poſſible. The following is the propoſition ſubmitted, and agreed to:

*COMMONWEALTH of MASSACHUSETTS.*

In CONVENTION of the Delegates of the people of the Commonwealth of MASSACHUSETTS. 1788.

THE Convention, having impartially diſcuſſed and fully conſidered the Conſtitution of the United States of America, reported to Congreſs by the Convention of Delegates from the United States of America, and ſubmitted to us by a reſolution of the General Court of the ſaid Commonwealth, paſſed the 25th day of October laſt paſt; and acknowledging with greateful hearts the goodneſs of the Supreme Ruler of the Univerſe, in affording the people of the United States, in the courſe of his Providence, an opportunity, deliberately and peaceably, without fraud or ſurpriſe, of entering into an explicit and ſolemn compact with each other, by aſſenting to and ratifying a new Conſtitution, in order to form a more perfect union, eſtabliſh juſtice, inſure domeſtic tranquility, provide for the common defence, promote the general welfare, and ſecure the bleſſings of liberty to themſelves and their poſterity; do, in the name and in behalf of the Commonwealth of Maſſachuſetts, aſſent to and ratify the ſaid Conſtitution of the United States of America.

And as it is the opinion of this Convention, that certain amendments and alterations in the ſaid Conſtitution would remove the fears and quiet the apprehenſions of many of the good people of this Commonwealth, and more eſpecially guard againſt an undue adminiſtration of the Fœderal Government; the Convention do therefore recommend that the following alterations and proviſions be introduced into the ſaid Conſtitution:

1ſt. That it be explicitly declared, that all powers not expreſſly delegated to Congreſs, are reſerved to the ſeveral ſtates, to be by them exerciſed.

2dly, That there ſhall be one repreſentative to every thirty thouſand perſons, until the whole number of repreſentatives amount to 200.

3dly, That Congreſs do not exerciſe the powers veſted in them by the 4th ſect. of 1ſt art. but in caſes when a ſtate neglect or refuſe to make regulations therein mentioned, or ſhall make regulations ſubverſive of the rights of the people, to a free and equal repreſentation in Congreſs, agreeable to the Conſtitution.

4thly, That Congreſs do not lay direct taxes but when the monies ariſing from the impoſt and exciſe are inſufficient for the public exigencies; nor then, until Congreſs ſhall have firſt made a requiſition upon the ſtates, to aſſeſs, levy, and pay their reſpective proportions of ſuch requiſition, agreeably to the cenſus fixed in the ſaid Conſtitution, in ſuch way and manner as the Legiſlature of the ſtate ſhall think beſt—and in ſuch caſe, if any ſtate ſhall neglect or refuſe to pay its proportion, purſuant to ſuch requiſition, then Congreſs may aſſeſs and levy ſuch ſtate's proportion, together with intereſt thereon, at the rate of ſix per cent. per annum, from the time of payment preſcribed in ſuch requiſition.

5thly, That Congreſs erect no company of merchants, with excluſive advantages of commerce.

6thly, That no perſon ſhall be tried for any crime by which he may incur an infamous puniſhment, or loſs of life, until he be firſt indicted by a grand jury, except in ſuch caſes as may ariſe in the government and regulation of the land and naval forces.

7thly, The Supreme Judicial Fœderal court ſhall have no juriſdiction of cauſes between citizens of different ſtates, unleſs the matter in diſpute be of the value of 3000 dollars at leaſt; nor ſhall the Fœderal judicial powers extend to any actions between citizens of different ſtates, where the matter in diſpute, whether it concerns the reality or perſonality, is not of the value of 1500 dollars at the leaſt.

8thly, In civil actions, between citizens of different ſtates, every iſſue of fact ariſing in actions at common law may be tried by a jury, if the parties, or either of them, requeſt it

9thly, Congreſs ſhall, at no time, conſent, that any perſon, holding an office of truſt or profit, under the United States, ſhall accept of a title of nobility, or any other title or office, from any King, Prince, or foreign ſtate.

And the Convention do, in the name and in behalf of the people of this Commonwealth, enjoin it upon their repreſentatives in Congreſs, at all times, until the alterations and proviſions aforeſaid have been conſidered, agreeably to the fifth article of the ſaid Conſtitution, to exert all their influence, and uſe all reaſonable and legal methods to obtain a ratification of the ſaid alterations and proviſions, in ſuch manner as is provided in the ſaid article.

And that the United States in Congreſs aſſembled may have due notice of the aſſent and ratification of ſaid Conſtitution by this Convention,

It is RESOLVED, That the aſſent and ratification aforeſaid be engroſſed on parchment, together with the recommendation and injunction aforeſaid, and with this reſolution, and that his Excellency JOHN HANCOCK, Eſq; Preſident, and the Hon. WILLIAM CUSHING, Eſq; Vice-Preſident of this Convention, tranſmit the ſame, counterſigned by the Secretary of the Convention, under their hands and ſeals, to the United States in Congreſs aſſembled.

(Signed) JOHN HANCOCK, Preſident.
W. CUSHING, Vice Preſident.

(Counterſigned)
Geo. Richd Minot, Secretary.

On Thurſday laſt, A. M. the Hon Convention finiſhed the diſcuſſion of the Fœderal Conſtitution by paragraphs, on which Mr. Parſons moved, "That this Convention do aſſent to and ratify the Conſtitution of the United States of America, propoſed by the Fœderal Convention" And the conſideration of the motion immediately commenced. In the afternoon his Excellency the Preſident communicated the above propoſitions, which were under conſideration Friday and Saturday

Friday laſt, on motion, the Hon. Convention voted, that the final deciſion on the queſtion to accept or reject the Conſtitution in debate be not taken until Tueſday next.

Yeſterday a committee of the Hon. Convention, conſiſting of two members from each county, ſat at the Repreſentatives Chamber, to conſider of and amend the above propoſitions, and make report,

It is with pleaſure we inſert the following paragraph of a letter received yeſterday by Mr. BRECK, from the Right Hon. the MARQUIS DE LA FAYETTE.

"I have written to requeſt you to pay a ſum of money on my account to the unhappy ſufferers by the late fire at Boſton, but am fearful I committed a miſtake, by uſing the word TWO inſtead of THREE hundred guineas; if ſo, you will oblige me by correcting that error, and paying the additional ſum."

## NEW-YORK, FEB. 6.

Extract of a letter from Boſton, dated January 30.

THE Convention have proceeded on the buſineſs, as far as the ſecond ſection of the third article, and by Tueſday next I ſuppoſe the buſineſs will be brought to a cloſe. Im happy to inform you, that from the moſt accurate calculation that has been made, there is a majority of 38 in favor of the Conſtitution. Some of the Delegates who were inſtructed by the towns they repreſented to vote againſt it at all events, have returned to their homes and informed their conſtituents, that ſo much light had been thrown on the ſubject, they could not as honeſt men hold up their heads againſt it; the towns have ſent them back, and directed them to vote as they thought beſt. The famous Bacon who has ſo often altered his mind, is now fully perſuaded that we had better adopt it; ſo that upon the whole, I have not the leaſt doubt, of its being ratified by a conſiderable majority.—The Governor made his appearance for the firſt time this day, and as he has openly declared he was in favour of the Conſtitution, I make no doubt of his being the means of making many proſelytes. When this grand and important ſubject is determined, I ſhall duly adviſe you, and I am fully purſuaded that I ſhall be able to tell you, that the honeſt yeomanry of Maſſachuſetts have adopted and confirmed the Fœderal Conſtitution"

The numbers in the different ſtates according to the moſt accurate accounts which could be obtained by the late Fœderal Convention, were as follows:

| | |
|---|---|
| In New-Hampſhire, | 102,000 |
| In Maſſachuſetts, | 360,000 |
| In Rhode Iſland, | 58,000 |
| In connecticut, | 202,000 |
| In New-York, | 238,000 |
| In New Jerſey, | 130,000 |
| In Pennſylvania, | 360,000 |
| In Delaware, | 37,000 |
| In Maryland, (including three-fifths of 80,000 negroes) | 218,000 |
| In Virginia, (including three-fifths of 280,000 negroes) | 420,000 |
| In North-Carolina, (including three-fifths of 60,000 negroes) | 200,000 |
| In South Carolina, (including three-fifths of 80,000 negroes) | 150,000 |
| In Georgia, (including three-fifths of 20,000 negroes) | 90,000 |

2 N

# AUGUSTA, January 5.

WE have the pleasure to announce to the public that on Wednesday last the Convention of this state unanimously ratified the Fœderal Constitution in the words following, viz.

## STATE of GEORGIA.
## IN CONVENTION.

Wednesday, January 2, 1788.

We the delegates of the people of the state of Georgia, in Convention met, having taken into our serious consideration the Fœderal Constitution, agreed upon and proposed by the deputies of the United States in General Convention, held in the city of Philadelphia, on the 17th day of September, in the year of our Lord one thousand seven hundred and eighty seven, have assented to, ratified and adopted, and by these presents do, in virtue of the powers and authority to us given by the people of the said state for that purpose, for and in behalf of ourselves and constituents, fully and entirely assent to, ratify and adopt the said Constitution, which is hereunto annexed under the great seal of the said state.

DONE in Convention, at Augusta, in the said state, on the second day of January, in the year of our Lord one thousand seven hundred and eighty-eight, and of the Independence of the United States the twelfth.

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# RICHMOND, Feb. 28.

Extract of a letter from a gentleman at Paris.

THE British Philosophers have joined Compte de Cassini, Director of the Royal Observatory, and the Sieurs Le Gendre and Mechain, members of the Royal Academy, in determining the distance from Calais to Dover, as those places are in sight when the air is clear. They arrived at Calais in the latter end of September. If this is once known, the exact distance from Paris to London will be established. The difference of the magnetic variation between those places, will determine with what exactness the longitude may be found by *the new American method.* If it should turn out so exact as is expected, it will, no doubt, answer every purpose at sea.

A London paper of November 18, has the following paragraphs:

"Yesterday some dispatches were received over land from Lord Cornwallis, in consequence of which a Council was immediately held, at the breaking up of which orders were sent to Lord Hood, at Portsmouth, not to pay off any of the ships under his Lordships command. Similar orders were likewise dispatched from the Lords of the Admiralty to the commanders at Plymouth and Chatham.

"Accounts both from Paris and the Hague mention a bloody engagement, in which four thousand Russians, having been artfully surrounded in the Cuban by thirty thousand Tartars, were without distinction massacred. No date, however, is affixed to the event, though it is confidently said, that the devoted Russians were under the command, at the time, of General Potemkin, a relation of the celebrated Prince of that name."

Extract of a letter from New Orleans, dated November 7, 1787.

"I have often mentioned the rapid encrease of this country, and the happy government we enjoy. Hardly a packet arrives but what brings us some fresh encouragement.——Fine lands are graciously granted to new settlers, and their produce is taken by government, paying a handsome price in hard dollars.

"A report is now confidently talked of, which, from the generous sentiments of a certain public character who represents us in New York, people in general believe.

"You however who still entertain strange prejudices of us, will hardly give credit to, but would venture to assure you, that a toleration of all persuations will soon take place with us, and that nothing but industry and good behaviour will be expected by our liberal King.

"We well know the regard paid in Madrid to the opinion of the caracter alluded to, and we flatter ourselves that he will fix upon such measures with the United States, as will undoubtedly make both respectable to all others."

With the highest satisfaction we announce to the public, that the Convention of the state of Massachusetts adopted the new Constition on the 6th instant, by a majority of 19—187 yeas—168 nays.—And that Mr. GERRY has declared, since the adoption of the Constitution, that he will steadily support it.

The Legislature of the state of South Carolina have appointed the 12th of May next for the meeting of their Convention, to decide on the new Fœderal Constitution.

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## ARRIVALS AT NORFOLK.

Ship John, Bushnell, Cape Francois.
——Hanover, Cook, Port-au-Prince.
Brig A B C, Frankford, London.
——Tom, Lindsay, Bourdeaux.
——Britannia, Younghusband, Barbadoes.
Schooner Priscilla, Barboine, New-York.
Sloop Boston Packed, Morfit, Charlestown.
——Dogget, Tourreos, Boston.
——Endeavour, Godfrey, Bermuda.

## CLEARANCES.

Brig Lyon, Law, Tobago.
——Tom, Lindsay, New-York.
——Margaret, Nisbet, Guernsey.
——Peggy, Cohee, Dunkirk.
Schooner Virginia, Willis, Port au Prince.
Sloop Maxwell, Ross, Grenada.

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# DANCING SCHOOLS

By *Messrs. MOODY & CAPUS,*
*At the Masons-Hall, on the following days, viz.*

THE day school, for young ladies and gentlemen, on every Friday and Saturday. The night school which is intended only for gentlemen, will be held every Thursday, Friday, and Saturday evenings, from 6 until 9 o'clock. In each of the schools will be taught the following dances:

*Le Minuet Ordinare,* with *Pas Grave.*
*Le Minuet de la Cour,* with the *Gavotte.*
*Les Allemandes, Hornpipes, Cotillons, & Country Dances,* with proper steps.

☞ The price for each school will be eighteen shillings by the month, to pay in advance; the night school will be opened on the 6th of March next, and the day school will be opened on the day following.

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# Just Imported,

From London, and to be sold at T. NICOLSON's Printing Office, a choice collection of

# MAGAZINES,

*Neatly Bound and Lettered,*

Of which are the FOLLOWING:

NOVELLEST, containing Pamela, or virtue rewarded.—Ditto Sentimental Journey.—Adventures of David Simple.—History of Jonathan Wild the Great.—Devil on two Sticks.—Ditto Arabian Nights Entertainment.—Ditto Tristram Shandy.—Chinese Tales.—The Sisters, Almorand and Hammet, an oriental tale.—Joseph Andrews.—Parliamentary Register for 1785.—Ditto vol. 19 and 20.—Wits Magazine, 2 vols.—Fashionable do.—Gentleman's do. for 1785 and 86.—European do. for 1785 and 86.—Political do. for 1785 and 86.—Universal do. for 1785 and 86.—Westminster do. for 1785.—Town and Country do. for 1785 and 86.—Ladies do. for 1785 and 86.—New Ladies do. for 1786.—New London do. for 1786.—The Rambler.—The whole of the Magazines are furnished with a number of elegant copperplates.—One elegant violin, with case and spare strings.—Twenty four dances and cotillions.—Also a variety of Songs, set to music.

☞ *A few copies of the* LAWS *of last session of Assembly.*

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# To be Rented,

For one or more years,

THAT well known store in Hanover county, distinguished by the name of the Rockey-Mill store, together with or without the merchant mill, as may suit those inclinable to rent; its advantageous situation for business is so well known, that it is unnecessary to say any thing further on that head; those inclinable to treat for the same, may know the terms by applying to Col. John Syme, on the premises.

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# State of the PUBLIC TAXES,

Payable for the year 1787, within the Commonwealth of Virginia.

NOTICE is hereby given, that the Assembly by an act passed at the last session, intituled, "*An act to amend the laws of revenue, to provide for the support of civil Government, and the gradual Redemption of all the debts due by this Commonwealth,*" have repealed the act intituled, "*An act for calling in and redeeming certain certificates;*" and have also remitted the taxes under the revenue law, on all free male persons above the age of 21 years, on slaves under the age of 16 years, and on all cattle. And by the said act it is directed that in case the tax or taxes on either or all of the said articles should have been already paid by any person or persons to the sheriff or collector of the revenue taxes for the year 1787, that the same shall be refunded by such sheriff or collector to those persons who have paid them.

By this alteration the taxes for the year 1787, which were distrainable on the first day of January, 1788, stand as follow,

| | £ | s. | d. |
|---|---|---|---|
| On land the sum of 30*s.* or every £. 100 value, or 1½ *per cent. ad valorem.* | | | |
| On all houses and lots in towns the sum of £. 5 for every £. 100 amount or value of rent. | | | |
| On all slaves above the age of 16 years, unless exempted by the county court on account of age or infirmity, the sum of | 0 | 10 | 0 |
| On every horse, mare, colt, or mule (except covering horses) | 0 | 2 | 0 |
| On every covering horse the rate such horse covers at the season. | | | |
| On every coach or charriot the sum of six dollars per wheel. | | | |
| On all other four wheeled riding carriages four dollars per wheel. | | | |
| On all two wheeled riding carriages two dollars per wheel. | | | |
| On every billiard table, | 15 | 0 | 0 |
| On every ordinary licence, | 5 | 0 | 0 |

And the sum of £. 5 to be paid by every practising Physician, Apothecary, or Surgeon.

SHERIFFS and COLLECTORS are particularly requested to observe that the 1st of April is the day appointed by law for payment of the above taxes into the treasury.

L. WOOD, Jun. *Sol.*

Solicitor's Office, January 22, 1788.

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The following will discharge the Revenue Tax for 1787.

*Note.—Specie, Auditor's warrants for interest on military certificates, and civil list warrants; also notes for inspected* tobacco, *crop or transfer, at the prices and under the regulations prescribed by an act of the last session, may be paid to the Sheriffs, or other collectors, in discharge of any part of the revenue taxes for the year* 1787.

*Note also.—That Auditor's warrants drawn on the undermentioned funds will also be received at the treasury in discharge of any part of the revenue taxes of* 1787.

*Warrants to Pensioners.*
*Warrants on the Contingent and Military Funds.*
*Warrants for payment of money lent the public on requisition of the General Assembly in May,* 1780, *or of Governour Jefferson.*
*Warrants for interest at the rate of* 5 per centum per annum, *for slaves executed.*
*Warrants to Venire-men and Witnesses attending criminal prosecutions.*
*Warrants to apprehenders of horse-stealers; also*
*Warrants for interest on Loan Office certificates of this state.*

*NOTICE to SHERIFFS.*

*Extract from the act, intituled,* "*An act concerning the redemption of Paper Money funded agreeable to the recommendation of Congress.*

"*WHEREAS so much of the laws of revenue, as direct the application of one tenth of the money arising from the tax on lands and lots to the redemption of the money funded agreeable to there commendation of Congress, of the 18th of March,* 1780, *have been found unequal in their operation; BE it therefore enacted, that so much of any act or acts of Assembly, as permits the payment of any part of the taxes on lands and lots in the said paper money, shall be, and the same is hereby repealed.*"

*Not having been favoured with a sight of the abovementioned act, nor most others passed in the last session, until this day, and concluding from the appropriating law that the said paper money was receiveable as heretofore, it was so expressed in the publication of the Statement of the taxes payable the year* 1787.—*Sheriffs and Collectors will notice that the aforesaid paper, or as it is commonly called* 1 *for* 40 *money, cannot be received for taxes of* 1787; *but they are permitted to pay into the treasury so much thereof as they were authorised by former laws to receive on account of the revenue due for the years previous to* 1787.

*J. AMBLER, Treasurer.*

*Treasury Office, Feb.* 18, 1788.

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Thomas Millington, Boot and Shoemaker,

RETURNS his sincere thanks to his customers, and the public in general, and hopes they will indulge him with the continuance of their favours, as he intends to have his work done equal to any in this city, and on the most reasonable terms for cash, viz.

| | |
|---|---|
| Boots of the first quality, bound with morocco, | £ 2-8 |
| Mens best shoes, bound tops, | 12 |
| Womens best leather shoes, | 9 |
| Stuff ditto. | 12 |

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# To be Sold,

To the highest bidder, on Tuesday the 4th day of March next, before the door of the courthouse of Henrico county, between the hours of 12 and 3 o'clock, for ready money,

## 49 hogsheads of Tobacco,

which were saved from the flames of BYRD's warehouses, by

THE *COMMISSIONERS.*

# SNUFF MILLS, AT WILLIAMSBURG.

THE proprietors of which have for ſale a large quantity of SCOTCH SNUFF, two years old, and by judges of that article, ſaid to be fully equal to any imported from Europe RAPPEE SNUFF, ſuperior to what can poſſibly croſs the Atlantic. TWIST & SHAGG, for chewing, fine CUT for ſmoaking, to be had at the ſame place. The prices wholeſale are 25 per cent. lower then any other ſtate do furniſh thoſe articles. All orders addreſſed as above, due attention will be paid for expedition and care in package.

By the public's devoted ſervants,

HUNT & ADAMS.

*Williamſburg, March* 9. 1787.

N B. The above articles are to be had at their ſhop in Richmond, and at Mr. Robt. Greenhow's ſtore on Shockoe hill near the Theatre.

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## VIRGINIA, to wit:

At a High Court of Chancery held in RICHMOND the 16th day of November, 1787.

JAMES WILLING of the City of Philadelphia. PLAINTIFF.
againſt
RICHARD ELLIS, WILLIAM COCKE ELLIS, PETER LUMKIN and SHORE, M'CONNICO and RITSON. } DEFENDANTS.

THE defendant RICHARD ELLIS, not having entered his appearance and given ſecurity according to the act of Aſſembly and the rules of this Court, and it appearing to the ſatisfaction of the Court, that he is not an inhabitant of this country. On the motion of the plaintiff by his Counſel, it is ordered, that the ſaid defendant do appear here on the firſt day of the next Court, and anſwer the bill of the Plaintiff, and that a copy of this order be forthwith inſerted in the Virginia Gazette for two months ſucceſſively, and publiſhed at ſome church of the pariſh of Nottoway in the county of Amelia on ſome Sunday immediately after divine ſervice, and at the front door of the courthouſe in the city of Richmond.

(A Copy)
GEORGE H BASKER[illegible] C. H. C. C.

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## JUST PUBLISHED,

And for ſale by THOMAS NICOLSON,

At his Office near the COURT HOUSE,

## The Virginia Almanack, For the Year 1788,

Being Beſextile, or Leap Year.

CONTAINING the Lunations, Conjunctions, Eclipſes, Weather, riſing and ing of the Sun; change and full of the Moon; unty and other Court days; liſt of Public Officers; ads from Richmond to the Sweet Springs; a variety Anecdotes and pieces of Wit; Weight of Gold as ſtabliſhed by act of Aſſembly; Scale of Depreciation; a complete table for weighing Gold, from one Grain to ſixty four Ounces; Receipt for a Cancer; an eaſy method of finding Intereſt for any ſum; Days on which the Poſts and Packets ſet out; Receipt for making French Bread; how to keep French Beans and Green Peas till Chriſtmas; to make Mead; to fine Cyder; a ſhort ſketch on Gardening; to take Pimples and Freckles off the Face; to make Liquid Blacken; Receipts for Worms in Children; to take out Greaſe, ſpots of Ink, Tar, Wine, &c. out of Cloth; to kill Chinches, Gargle for the Sore Throat: cure for the Scurvy, Tooth-Ach, and a number of other uſeful Receipts.

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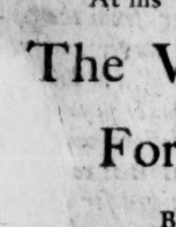
## Twenty Dollars Reward,



RUNAWAY from the ſubſcriber the 18 of June laſt, a negro man named CHARLES, about 40 years of age, yellow complexion, about 5 feet 4 or 5 inches high, both of his feet has been froſt bitten, and the end of one his great toes turns right down, and when he walks it makes a print like a walking cane, the other foot is crumped up on the top, he has loſt his fore teeth, has a buſhy head of wool, a large body and ſmall legs and thighs. he is an artful cunning villian, and I imagine will endeavour to paſs for a free man; I underſtand he is lurking about Tanner's creek in Princeſs Ann county, and the Pitch Landing in North-Carolina. Whoever delivers the ſaid fellow to me in Iſle of Wight county, ſhall have the above reward, or ten dollars if ſecured in any jail ſo that I get him.

WILLIAM JORDAN.

Iſle of Wight, January 28, 1788.

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## VIRGINIA to wit:

At a High Court of Chancery held in Richmond the 15th day of November 1787.

BENJAMIN WINSLOW, PLANTIFF.
againſt
HENRY BELL, JOSEPH WOOD, jun. and WILLIAM BELL, } DEFENDANTS.

THE defendant HENRY BELL, not having entered his appearance and given ſecurity according to the act of Aſſembly and the rules of this court, and it appearing to the ſatisfaction of the court, that he is not an inhabitant of this country. On the motion of the plantiff by his counſel, it is ordered, that the ſaid defendant do appear here on the firſt day of the next Court, and anſwer the bill of the plantiff, and that a copy of this order be forthwith inſerted in the Virginia Gazette for two months ſucceſſively, and publiſhed at ſome church of the pariſh of St. Thomas in the county of Orange, on ſome Sunday immediately after divine ſervice, and at the front door of the courthouſe in the city of Richmond.

(A Copy)
GEORGE H. BASKERVILL, C. H C. C.

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## Warrington & Keene,

Reſpectfully inform the Public,

That they are removed from the Store of

Iſaac Younghuſband, Eſquire,

Oppoſite to Galt's Tavern,

And have opened FOR SALE,

An extenſive and general ASSORTMENT of

PRIME SEASONABLE

# GOODS,

At their new ſtore near the old Capitol, built upon the ſame ſpot where JAMES WARRINGTON was burnt out in the fire of January 1787, which they are determined to diſpoſe of by the package, piece, or otherwiſe, on the moſt moderate terms.

*** Military certificates, intereſt warrants, &c. as alſo tobacco, and ginſang, will be received in payment at their higheſt value.

RICHMOND, Jan. 3, 1788.

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JANUARY 1, 1788.

I AM directed to forewarn all perſons from the preſent date, from hunting, ſhooting, or otherwiſe treſpaſſing on the FALLS PLANTATION.—Any one offending herein after this caution, may depend upon being taken notice of.

THOMAS CARTER, Overſeer.

---

## Juſt IMPORTED,

*In the brig JESSIE, Captain Fleck, and the brig ABBY, Captain Braithwhite, from LIVERPOOL, and for ſale by the ſubſcriber:*

FINE ſalt in bags of four buſhels,
4d. to 20d. nails and brads,
Soap and Candles,
Cordage, well aſſorted.
Sail Canvas, No. 1 to 7.
Sewing and Whipping Twine.
Hoes.
Loaf Sugar in hogſheads.
Iriſh Linens.
Sheetings.
Hempen Rolls.
Ladies faſhionable Stays.
Calimanco Shoes.
Mens Leather ditto.
Yarn and worſted Hoſe.
Negro Cottons and Welſh Plains.
Wilton and Scotch Carpets of beautiful patterns.
Roſe and ſtriped Blankets.
Iriſh Potatoes in caſks.
Liverpool Ale, 3 years old, of excellent quality.
A few Glouceſter Cheeſe.
And a variety of GOODS ſuited to the preſent and approaching Seaſon.
Beſt Liverpool Coals, &c. &c.

☞ The CORRESPONDENTS of Meſſrs. CROSBIE & GREENWOOD, are reſpectfully informed, that the JESSIE, and ABBY, are intended to return to Liverpool in ſix weeks, and will take in Tobacco at Norfolk, to their addreſs, forwarded to my care.

*ROBERT HAYES.*

*Norfolk, January* 23, 1788.

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## VIRGINIA to wit:

At a High Court of Chancery, held in Richmond the 16th day of November 1787.

JERMAN BAKER, PLAINTIFF.
againſt
WALTER KING, Surviving Partner of THOMPSON & KING, and alſo Surviving Partner of JOHN THOMPSON & Co. and CHARLES COPELAND Executor &c. of PETER COPELAND, deceaſed. } DEFENDANTS

THE defendant WALTER KING, not having entered his appearance and given ſecurity according to the act of Aſſembly and the rules of this court, and it appearing to the ſatisfaction of the Court, that he is not an inhabitant of this country. On the motion of the Plaintiff by his Counſel, it is ordered that the ſaid defendant do appear here on the firſt day of the next Court, and anſwer the bill of the Plaintiff, and that a copy of this order be forthwith inſerted in the Virginia Gazette for two months ſucceſſively, and publiſhed at ſome church of the pariſh of Weſtover in the county of Charles-City, on ſome Sunday immediately after divine ſervice, and at the front door of the Courthouſe in the city of Richmond.

(A Copy)
GEORGE H. BASKERVILL, C. H C. C.

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County Court Clerks, merchants, ſheriffs, naval-officers, and others may be furniſhed with any of the undermentioned BLANKS, at the ſhorteſt notice, by the Printer hereof, viz

## COUNTY COURT.

PETITION & SUMMONS.
SUBPOENAS.
WRITS.
ATTACHMENTS.
EXECUTIONS.
EXECUTORS BONDS.
ADMINISTRATORS ditto.
ORPHANS ditto.

## SHERIFFS.

REPLEVY BONDS.
APPEARANCE ditto.
PRISON BOUND ditto.

## MERCHANTS.

COMMON BONDS.
NOTES OF HAND.
BILLS OF EXCHANGE.
BILLS OF LADING,
BILLS OF SALE.
DEEDS OF TRUST.
DEEDS FOR LAND.
SEAMEN's ARTICLES.
INDENTURES &c.

## NAVAL OFFICERS.

DUTY BONDS.
CLEARANCES.
PERMITS, &c.

## Declarations for Lawyers,

OF VARIOUS FORMS.

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## M'MURRAY's MAP OF THE UNITED STATES.

May be had at this Office.

ACTS OF ASSEMBLY,

Printed ſince the reviſed code, viz. For the years 1784, 85, 86, and 87.

---

TAKEN up near Four mile creek, Henrico county, a bright bay MARE, four feet ſix inches high, five years old next ſpring; forward with foal, a roached main and dock't tail, ſome ſaddle ſpots, and a remarkable white ſpot occaſioned by the chaffing of the headſtall. Appraiſed to 10l.

(3w) THOMAS HATTON